

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Roni GORDON	Confirmation No.:	1802
Application No.:	10/553,257	Group Art Unit:	3715
Filed:	October 11, 2005	Examiner:	Bruck A. Gebremichael

For: PERSONAL NUTRITION CONTROL DEVICES

Commissioner for Patents
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- ☐ Under 37 CFR § 1.97(b): (1) Within three months of filing of national application; (2) Within three months of date of entry of the national stage as set forth in § 1.491 in an international application; (3) Before mailing of a first Office action on the merits; or (4) Before mailing of a first Office action after the filing of a request for continued examination under § 1.114.
- ☒ Under 37 CFR § 1.97(c): After the period specified in § 1.97(b) but before the mailing date of either a final action under § 1.113 or a notice of allowance under § 1.311, whichever occurs first, and accompanied by either:
- ☐ (1) A statement under § 1.97(e) as set forth below, or
- ☒ (2) A \$180.00 fee under 37 CFR 1.17(p).
- ☐ Under 37 CFR § 1.97(d): After the period specified in § 1.97(c) but on or before payment of the issue fee, and accompanied by:
- ☐ (1) A statement under § 1.97(e) as set forth below; and
- ☐ (2) A \$180.00 fee set forth in 37 CFR 1.17(p).

Statement under 37 CFR § 1.97(e):

- ☒ Not necessary, because this IDS is filed under § 1.97(b) or § 1.97(c)(2).
- ☐ Each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

- ☐ No item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in § 1.56(c) more than three months prior to the filing of this IDS.

In the interests of full disclosure, Applicant wishes to specifically point out that after diligently searching the public domain, an image or title was unavailable for the references listed below and included in “ADKIT "Adkit - Y2002", Product Descriptions, 24 P., 2007” and “ADKIT "Centritron 3", Product Descriptions, 136 P., 2007”. It is not believed that these omissions will hinder or impede the Office’s ability to adequately examine the present application; however, a closest alternative datum was utilized when appropriate. If the Office disagrees, the Examiner is invited to telephone the undersigned.

An image was unavailable for the following references:

“Extreme Ripped Froce Drink Extensions,” December 19, 2002, American Body Building Products, ABB, ADKiT, USA

“Medallones Vegetables Hamburgers,” June 14, 2001, Proteinas Argentinas, Vegetalex, ADKiT, Argentina

“Raspberry Sorbet Pops,” July 8, 1999, Haagen-Dazs, ADKiT, Israel

“Tonno al Naturale,” August 6, 1998, Mareblu/Weight Watchers, Weight Watchers, ADKiT, Italy

“Gemüse-Kase-Würstchen,” June 24, 1998, Union Deutsche Lebensmittelwerke, Du Darfst, ADKiT, Germany

“Cottage Cheese Extensions,” June 15, 1998, Crowley Foods, ADKiT, USA

“Pineapple Mousse,” May 29, 1998, Marks & Spencer, St Michael, ADKiT, UK

“Old Home Tropical Yogurt,” February 5, 1998, Old Home Foods, Old Home, ADKiT, USA

Marks & Spencer, St Michael, August 20, 1997, ADKiT, UK

A title was unavailable for the following references:

Dannon, Dannon Light, November 15, 1997, ADKiT, USA *

Marks & Spencer, St Michael, August 20, 1997, ADKiT, UK

Sainsbury's, Sainsbury's/Healthy Balance, November 19, 1996, ADKiT, USA *

* Product packing title utilized in IDS

Form PTO 1449–Information Disclosure Citation is attached with copies of patents, publications, or other information of which Applicant is aware, which may be material to the examination of this application, and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

It is requested that the information disclosed herein be considered and made of record in this application.

To the extent necessary, a petition for an extension of time under 37 C.F.R § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully submitted,

DITTHAVONG MORI & STEINER, P.C.

/Arthur J. Steiner/

Arthur J. Steiner

Attorney/Agent for Applicant(s)

Reg. No. 26106

Date: January 15, 2009

Telephone No.: (703) 519-9954